

C H A P.
X.

Representatives, and Dis-reputation of the Deceased: For Remedy of which Evils for the future; *Be it Enacted, by the Authority, Advice and Consent aforesaid,* That no Executor or Administrator shall hereafter be allowed any Cost of Suit, in any Action to be recovered against such Executor or Administrator, out of the Deceased's Estate, unless the Court before whom the Action is brought, shall certify to the Commissary-General or Deputy-Commissary, that the Executor or Administrator had just or probable Cause or Reason for withstanding such Suit.

Deputy-
Commissaries
to give Bond.

V. *And be it further Enacted,* That every Deputy-Commissary shall enter into a Bond with sufficient Sureties, (such as the several County Courts, who are hereby impowered and directed to take the same, shall approve of, payable to the Lord Proprietor, in the Penalty of Two Hundred Pounds Sterling) for the due and just Execution of his Office; which Bonds shall be lodged in the Prerogative Office, and liable to be assigned and sued, as the Sheriffs and other Public Officers Bonds are.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

C H A P. XI.

Passed 3^d
Nov. 1722.

An Act for the Continuance of Process in Baltimore County Court. Lib. LL. N^o 4. fol. 565.

C H A P. XII.

Ditto.

* 1715, ch. 41.

An ACT for regulating Amerciaments in the Provincial and County Courts, and directing the Application of them; and for repealing Part of an Act, entitled, * An Act for the better Administration of Justice in the High Court of Appeals, Chancery, Provincial and County Courts of this Province; for the more speedy Recovery of Debts; easy obtaining of Executions against Persons absenting from the Counties where the Judgments were recovered against them; for preventing Commissioners, Sheriffs, Sub-Sheriffs, and Deputy-Clerks, to plead as Attorneys in the respective Courts to which they belong; and for Amerciaments in the Provincial and County Courts. *Lib. LL. N^o 4. fol. 565.*

Amerciaments
in the Provincial Court
50th Tobacco, to
be applied
as the Governor and
Council
shall direct;

in the County
Court, 30th
Tobacco, to
be applied to
the County
Charge.

BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly of this Province, and the Authority of the same, That every Plaintiff, not being an Executor, Administrator, or Minor, that shall be cast in any Cause in the Provincial Court, or discontinue his Suit, shall be amerced Fifty Pounds of Tobacco, and every Defendant in the same Court, not being an Executor, Administrator, or Minor, that shall be cast, if he imparles, shall be amerced Fifty Pounds of Tobacco; to be applied as the Governor and Council shall direct; and that every Plaintiff in the County Court, (not being an Executor, Administrator, or Minor,) that shall be cast in any Cause, or shall discontinue the same, shall be amerced Thirty Pounds of Tobacco; and that every Defendant, not being an Executor, Administrator, or Minor, that shall be cast, if he imparles, shall be amerced Thirty Pounds of Tobacco; to be applied to the defraying the County Charge; all which Amercements to be levied by the Sheriffs, by way of Execution, in the same Manner as the Public and County Levies are.

Defendants
cast the first
Court, not
liable.

II. *Provided,* That no Defendant shall be liable to any Amercement against whom Judgment shall be rendered the first Court.

III. *And be it further Enacted,* That one Clause of an Act, entitled, *An Act for the better Administration of Justice in the High Court of Appeals, Chancery,*